

Remarks

In the second paragraph of the Official Action, Examiner objected to the drawings. Substitute drawings are submitted in a separate letter to the chief draftsman with  
5 textual labels for elements 172, 174 and 176, as described in the specification in the first paragraph of the detailed description on page 5.

In the third and fourth paragraphs of the Official Action, Examiner objected to the claims because Examiner  
10 believes the term "requesting at least one second set of update information responsive to at least a size of the first set of update information" is vague. This objection is respectfully traversed.

The claim language is clear: the first set of update  
15 information has a size. A second set of update information may be requested based on the size of the first set of update information. For example, if the size of the first set of update information is equal to the size of a storage area that is used to store updates, the second set of  
20 update information may not be requested. Therefore, the second set of update information is requested "responsive to" at least a size of the first set of update information. The term "responsive to" is broad, but not vague.

Examiner also objects to the claim language because the structural connection between the steps is not clear. Applicants interpret the question to be that Examiner does not understand the relationship between those two claim  
5 elements (the question has been interpreted in this manner because the claim is a method claim).

The relationship between the steps is that the first set of information is used to update the computer system and the size of the first set of information is used to  
10 request the second set of information, because, as claimed, the second set of information is requested responsive to the first. One result of these steps is the computer system is updated with at least the first set of information, and therefore, the claim properly states a  
15 method of updating a computer system.

Examiner is requested to withdraw the objection, although if Examiner is still unclear on the meaning of the claim, Examiner is welcome to contact Applicants' attorney at the number below. At least for this attorney, Examiner  
20 should never hesitate to contact an Applicants' attorney to clarify the meaning of a claim term for this case or any other.

Claims 8 and 15 are not objectionable for the same reason as claim 1, and therefore, Examiner is requested to withdraw the objection.

With regard to claims 5, 12 and 19, "on a first  
5 occasion" or "on a second occasion", those terms may be thought of as including "at a first time" and "at a second time". Examiner objected to claim 15, not claim 19, but Applicants' attorney has assumed Examiner was objecting to claim 19 instead of claim 15 because claim 19 uses the term  
10 "occasion" but claim 15 does not.

Again, if Examiner is still unclear as to the meaning of these terms, or any others in this case or any other case for which Applicants' attorney is the attorney of record, Examiner is requested to contact Applicants'  
15 attorney at the number listed below.

Examiner has objected to the claims dependent on claims 1, 5, 8, 12, 15 and 19 based on the objection to those claims. As noted, those claims are clear, and therefore their dependent claims are also clear.

20 The claim terms are clear, and therefore Examiner is requested to withdraw the objection.

In the fifth through eighth and tenth paragraphs of the Official Action, Examiner rejected claims 1, 8 and 15

and their dependent claims under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent 5,386,553 issued to Fujita ("Fujita"). This rejection is respectfully traversed.

Claim 1 recites, "requesting at least one second set  
5 of update information responsive to at least a size of the first set of update information". Claims 2-4 depend from claim 1 and contain all of its limitations.

Claim 8 recites, "computer readable program code devices configured to cause a computer to request at least  
10 one second set of update information responsive to at least a size of the first set of update information". Claims 9-11 depend from claim 8 and contain all of its limitations.

Claim 15 recites, "a requester having an input coupled to the holding area manager size output for receiving the  
15 size, the requester for requesting at an output at least one second set of update information responsive to the size received at the requester input". Claims 16-18 depend from claim 15 and contain all of its limitations.

These claimed features request a second set of update  
20 information responsive to a size of a first set of update information.

These claimed features are not shown by Fujita.  
Fujita column 4, line 68 - column 5, line 11 address

changing the size recorded for a file that is being updated. It does not teach or suggest requesting update information responsive to a size as claimed. Therefore, claims 1, 8 and 15 are patentably distinguishable over Fujita. Because claims 2-4 depend from claim 1, claim 9-11 depend from claim 8, and claims 16-18 depend from claim 15, claims 1-4, 8-11 and 15-18 are patentably distinguishable over Fujita.

In the fifth, ninth and tenth paragraphs of the Official Action, Examiner rejected claims 5, 12 and 19 and their dependent claims under 35 U.S.C. 102(b) as being unpatentable over Fujita. This rejection is respectfully traversed.

Claim 5 recites, "requesting on a first occasion a first set of update information for a first set of information responsive to a list comprising at least one identifier of the first set of information and at least one identifier of a second set of information; receiving the first set of update information responsive to the request; modifying the first set of information responsive to the first set of update information received; requesting on a second occasion, following the first occasion, a second set of update information for the first set of information

before any update information for the second set of information is requested following the first occasion".

Claim 12 recites, "computer readable program code devices configured to cause a computer to request on a  
5 first occasion a first set of update information for a first set of information responsive to a list comprising at least one identifier of the first set of information and at least one identifier of a second set of information;  
computer readable program code devices configured to cause  
10 a computer to receive the first set of update information responsive to the request; computer readable program code devices configured to cause a computer to modify the first set of information responsive to the first set of update information received; computer readable program code  
15 devices configured to cause a computer to request on a second occasion, following the first occasion, a second set of update information for the first set of information before any update information for the second set of information is requested following the first occasion.".

20 Claim 19 recites, "a requester having an input for receiving a list comprising at least one identifier of a first set of information and at least one identifier of a second set of information, the requester for: providing at

an output during a first occasion a request for a first set of update information for the first set of information responsive to the list; and providing at the output on a second occasion, following the first occasion, a request  
5 for a second set of update information for the first set of information before any update information for the second set of information is requested; a holding area manager having an input for receiving the first set of update information responsive to the request; and an  
10 installer/deleter having an input coupled to the holding area manager for receiving the first set of update information, the installer deleter for providing at least one command at an output to modify the first set of information responsive to the first set of update  
15 information received at the installer/deleter input".

These claimed features request a first set of update information for a first set of information from a list of identifiers of a first and second sets of information. The first set of information is modified responsive to the  
20 update information received responsive to the request. Later, a second set of update information is requested for the first set of information before any update information for the second set of information is requested after the first set of information was requested.

Fujita column 2, lines 24-30, column 2 line 53 to column 3, line 31, column 5, lines 12-35 and column 7, lines 19-25 do not teach or suggest the claimed features. Fujita addresses updating files on disk. Examiner does not  
5 assert that Fujita teaches or suggests the claimed features of "requesting on a first occasion a first set of update information for a first set of information responsive to a list comprising at least one identifier of the first set of information and at least one identifier of a second set of  
10 information" or "requesting on a second occasion, following the first occasion, a second set of update information for the first set of information before any update information for the second set of information is requested following the first occasion" as claimed, and Applicants are also  
15 unaware of any such teaching in Fujita. Therefore, claims 5, 12 and 19 are patentably distinguishable over Fujita. Because claims 6 and 7 depend from claim 5, claims 13 and 14 depend from claim 12, and claims 20 and 21 depend from claim 19, claims 5-7, 12-14 and 19-21 are patentably  
20 distinguishable over Fujita.

Claims 1-21 are in condition for allowance. Favorable action is solicited.



Respectfully Submitted,  
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